

# HOUSE . . . . . No. 90

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By Ms. Jehlen of Somerville, petition of Patricia D. Jehlen and others relative to increasing the options for voters for choosing candidates on election ballots in the Commonwealth. Election Laws.

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## The Commonwealth of Massachusetts

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### PETITION OF:

Patricia D. Jehlen	Robert L. Hedlund
Byron Rushing	Benjamin Swan
Anne M. Paulsen	Alice K. Wolf
Ellen Story	

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In the Year Two Thousand and Five.

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AN ACT PROVIDING VOTERS WITH MORE BALLOT CHOICES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 PREAMBLE: The people of Massachusetts expect and are enti-  
2 tled to meaningful participation in the Commonwealth's system of  
3 democracy, based on the principle that all people have an equal  
4 say in the outcomes of elections. Many voters are dissatisfied with  
5 the choice of candidates offered in elections. The current law rele-  
6 gates independent candidates and third parties to the role of  
7 spoilers and citizens who support them too often end up wasting  
8 their votes. Repealing the State's ban on cross-endorsement  
9 allows new parties to present additional choices and permits  
10 voters to make their voices heard while still having their votes  
11 counted for a viable candidate.

1 SECTION 1. Section 6 of chapter 53 of the General Laws, as  
2 appearing in the 2002 Official Edition, is hereby amended by  
3 striking out the second paragraph. Section 48 of said chapter 53,

4 as so appearing is hereby amended by striking out the fourth para-  
5 graph.

1 SECTION 2. Section 41 of chapter 54 of the General Laws, as  
2 appearing in the 2002 Official Edition, is hereby amended by  
3 striking out the fourth, fifth, and sixth paragraphs and inserting in  
4 place thereof the following paragraphs:

5 If a candidate shall receive the nomination of more than one  
6 party or more than one political designation for the same office,  
7 the candidate's name shall appear once for each party or political  
8 designation received. The candidate shall specify the order in  
9 which the party or political designations will appear, provided that  
10 all parties shall be listed before all political designations. The  
11 ballot shall allow voters to select a candidate nominated by mul-  
12 tiple parties or political designations under the party or political  
13 designation ballot line of their choice.

14 If technology allows, voting machines shall prevent a voter  
15 from voting more than the number of times permitted for any one  
16 office. If a voter votes for the same candidate for the same office  
17 on multiple party or political designation lines, the ballot shall  
18 remain valid and shall be counted as if the duplicate votes were a  
19 single vote for the candidate on a line without a party or political  
20 designation.

21 When elections are held for a full term and a partial term of the  
22 same office running concurrently, no person shall have their name  
23 printed on the official ballot or on ballot labels for both the elec-  
24 tion to fill the full term and the election to fill the partial term.

1 SECTION 3. Section 13 of chapter 54 of the General Laws, as  
2 appearing in the 2000 Official Edition, is hereby amended by  
3 inserting after "within the time prescribed by section eleven for  
4 filing objections to certificates of nomination and nomination  
5 papers" the following words: "or within six days following any  
6 party's primary elections with respect to the office, regardless of  
7 whether the candidate sought nomination or was nominated in  
8 such primary."